

EXHIBIT 6
DATE 01/12/07
105

Proponent Testimony
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Governor's Office of Indian Affairs

HB 105: Revising laws on training of state agency managers and state employees on tribal issues and concerns; requiring training to be provided by the Governor's Office.

Introduced by J. Windy Boy
By request of the State-Tribal Relations Committee

Hearing date: 01/12/07; 8:00 a.m. Room 455

1) Training at least once per year provided by the Governors Office on legal status, legal rights, social economic and cultural training for state managers and key employees who have regular communication with tribes.

COMMENTS: Representative Windy Boy has proposed amending MCA 2-15-143 in four areas that will greatly enhance the intent of the law. First, moving the training responsibilities to the Governor's Office maximizes coordination of training on Indian issues for key state employees. It is a reasonable and efficient use of existing governmental law and practice. The Governor's Office is already responsible for conducting government to government communication and working relationships with tribes. The Executive Branch is especially empowered to facilitate the coordination and collaboration of all state agency operations that are necessary to an effective implementation of personnel training strategies. Additionally, the Governor's Office is supported by the long standing history of the Office of Indian Affairs. During the past two years, I assisted Sarah Bond from the Department of Justice in coordinating the tribal government relations workshops. The benefits of my regular duties in maintaining effective communications with tribal government officials and community leadership were assets to securing timely participation from the tribes and in recommending potential tribal presenters.

2) Annual working meeting convened by the Governor with representatives of state agencies, tribal officials, and tribal presiding officers to discuss

a) tribal concerns with rules and policies that directly impact tribal government and tribal populations

b) other issues of concern to either the state or tribes and potential solutions to the concerns

COMMENTS: Representative Windy Boy's proposed amendment to formalize an annual working meeting convened by the Governor reflects practices that the current administration has proven to be effective. Governor Schweitzer convened several working meetings that included state, tribal and federal government officials. The working meeting dedicated to health issues was significant in that it was the first time the three entities had come together to discuss their concerns, and it was the first time that Pete Conway, Indian Health Service Area Director since 2000, had ever been invited to meet a Governor of Montana to discuss Indian health issues. The discussion revealed that state policy decisions in the management of Medicaid had an adverse effect on the I.H.S. budget that could not be remedied without a loss in health care services within that budget period. Fortunately, the discussion also helped the parties identify solutions.

3) Annually by August 15th each state agency shall submit to the Governor their report on activities with tribal governments and tribal populations

a) the report will include rule or policy changes the state agency adopted because of discussions held at the annual working meeting

b) the report will include the process the state agency has established to identify the activities with tribes

c) the report will include the efforts of the state agency to promote communication and government to government relationships with tribes

d) the report will include the efforts of the state agency to ensure tribal consultation and use of American Indian data

COMMENTS: Representative Windy Boy's bill amendment clarifies the purpose of the annual tribal relations report and provides a reasonable date for agency data entry and narrative report. The Governor's Office coordinated the compilation of the annual tribal relations activity report in 2005 and 2006 that replaced the former method of individual agency reports. The centralized process was augmented by a database developed specifically for the purpose of collecting descriptions of state activities with tribes by agency, category, agreement type, current status, contact person, and financial information. The database and centralized compilation by the Governor's Office produced a single report that is comprehensive, well organized, and user friendly while also available on the state website. This process is an efficient use of state resources, it builds in accountability, it allows us to track progress, and measure success. During the past year, the state has engaged in over 300 activities with Montana's eight tribal nations. A true measure of the state's productivity with tribes was formally unavailable without the centralized coordinated effort by the Governor's Office.

4) Annually by September 15th the Governor shall provide to each tribal government a report with an overview of all state and tribal activities including the training.

COMMENTS: Representative Windy Boy's bill amendment provides a 30 day turn around for compilation of agency data from the database, editing, and formatting to produce a final report. The *Tribal Relations Report 2006: The Art of Cooperation* is an example of what team work can produce. I believe it is the best evidence of centralized coordination. Representative Windy Boy's proposed strategy and timeline for reporting benefits the collaborative efforts of state agencies in the production of a meaningful annual report on all state activities with Montana's tribes.

